

LSD-25-94
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2 December 1955

REMEMBER FOR: Director of Logistics
SUBJECT: CIA Travel Regulations
REFERENCE: Various Proposed Drafts in Title 22 of the
CIA Regulatory Series

1. Pursuit of the proposed drafts has led this Office to conclude that it would be desirable to set forth as clearly as possible for the information of all concerned elements, the legal authorities upon which the CIA Travel Regulations may be based. Although this Agency has authorities available to it which are not generally available to other Government agencies, we do not have carte blanche and must operate, as does the rest of the Government, within a Legal Constraint.

2. Government agencies generally must base reimbursement of the travel expenses of their employees upon one of two authorities:

a. The Standardized Government Travel Regulations, for official travel away from the employee's permanent duty station (these regulations are promulgated by the Bureau of the Budget under the President's general power to prescribe regulations for the Executive Branch; the only direct intrusion of Congress into this field is the Travel Expense Act of 1949, as amended, which sets maximum per diem and mileage rates).

b. The complex of statutes and Executive Orders usually cited as Public Law 660, 79th Congress, as amended, and Executive Order 9005, as amended, for travel of employees and transportation of their dependents and household effects, when the employee is transferred from one permanent duty station to another, or upon appointment to a permanent duty station overseas.

3. The uniformed services (this refers not only to components of the Department of Defense, but also to the Coast Guard, Public Health Service and the Coast and Geodetic Survey) are specifically exempted from the S.G.T.R. and the P.L. 660 complex, and reimbursement for their travel expenses is authorized by the Joint Travel Regulations, issued jointly by the several Secretaries involved under the authority of the Career Compensation Act of 1949.

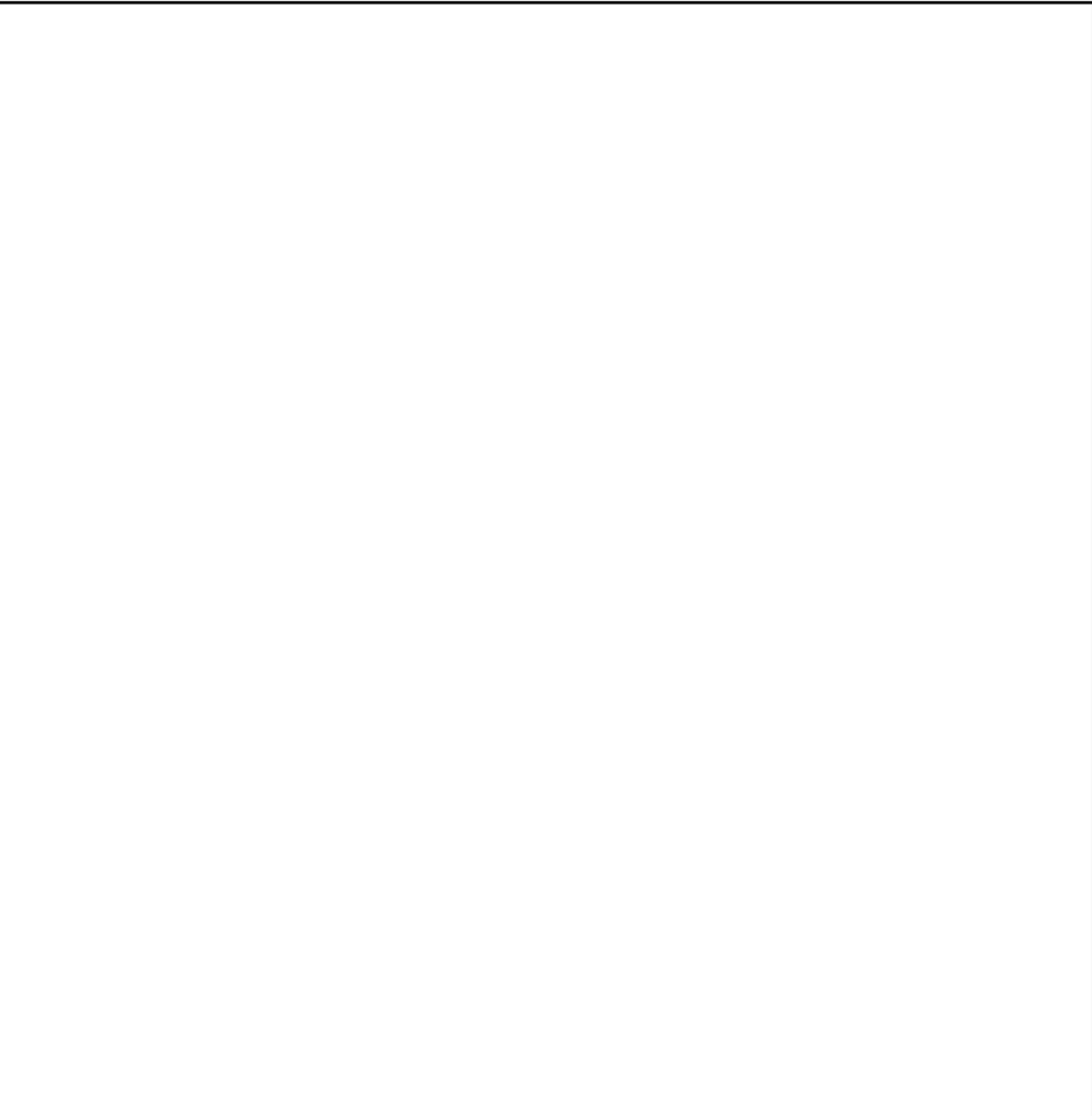
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4. The Foreign Service of the Department of State is specifically exempted from P.L. 665, but not from the SOIFs. However, special travel authorities are provided in the Foreign Service Act of 1946 (from which are derived those in section 5 of the CIA Act of 1949) and, to the extent that these conflict with the SOIFs (not based upon statute) they override the latter.

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Deriving from authentication of the regulation as a whole.

6. It is consequently recommended that drafters of CIA Travel Regulations clearly indicate by some appropriate symbol those provisions which cannot be clearly related to the scope or the P.L. etc., example, [redacted]

[redacted] in order that the authorizing officer may be clearly made aware that he is initiating new policy.

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follow; the purpose of this amendment is to clarify to all users of the regulation the priority of legal authorities upon which travel questions are to be decided:

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1. GENERAL

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tion of official travel for personnel of this Agency; transportation at government expense of their dependents, household goods, personal effects and antecedibles; and the allowance of related expenses.

b. Unless in conflict with the CIA Travel Regulations, the following shall have full force and effect in regard to all types of travel and transportation:

(1) For official travel of the ^{principal} employee, away from his permanent duty station, the Standardized Government Travel Regulations and the Travel Expense Act of 1949, as the same may be amended.

(2) For travel of the ^{principal} employee and transportation of dependents, household goods and personal effects, when the employee is transferred from one official station to another for permanent duty, the Administrative Expenses Act of 1946 and Executive Orders issued thereunder, as the same may be amended.

c. In all cases of conflict, the CIA Travel Regulation shall govern.

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Assistant General Counsel

cc: DD/S
Comptroller
RSC

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